



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

24-120

H.4.

10/22/2024

### Subject:

Petition to Vacate, Re: Public Rights-of-Ways - 21st Street and West 4th Avenue - "Sun Valley" Plat Book 11, Page 29 - Titusville - Dirschka Family Revocable Trust - District 1

### Fiscal Impact:

The petitioners are charged \$640. These fees are deposited in Fund 0002-30265 revenue account for vacatings.

### Dept/Office:

Public Works Department - Surveying & Mapping

### Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating part of two public rights-of-ways, "Sun Valley" in Section 28, Township 22 South, Range 35 East. If approved, it is requested that the Board authorize the Chair to sign the attached Resolution approving the vacating and Public Works staff to accept and authorize recording of the drainage and access easement over the vacated right-of-way.

### Summary Explanation and Background:

Florida Statutes, Section 336.09 and Brevard County Article II, Section 86-36, provide a method for the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioners own Lots 1 and 24, Block 81, and Lots 11-18, Block 80, and are requesting the vacating of a portion of two public rights-of-ways to allow for the property to be contiguous. The rights-of-ways to be vacated contains 22,387.00 square feet, (0.51 AC) more or less. The property is in Titusville North of Highway 405 and West of Barna Avenue.

On October 7, 2024, the legal notice was advertised in Florida Today informing the public of the date a public hearing would be held to consider the vacating.

All pertinent county agencies and public utility companies have been notified and no objections have been received. Road and Bridge requested and received drainage and access easement over the vacated right-of-way of 21st Street (a 25-foot-wide right-of-way).

Name: Amber.Holley@brevardfl.gov Phone: Ext. 58346

### Clerk to the Board Instructions:

Advertise Approved Resolution Notice and Record Vacating Resolution Documents as one resolution type document which in sequence includes the approved/signed resolution, the proof of publication of the public

hearing notice, and the proof of publication of the adopted resolution notice.

# Brevard County Property Appraiser Detail Sheet

Owners DIRSCHKA FAMILY REVOCABLE TRUST

Mailing Address 2021 BREEZY HILL LN TITUSVILLE FL 32780

Site Address NONE

Parcel ID 22-35-28-01-81-24

Taxing District 1300 - UNINCORP DISTRICT 1

Exemptions NONE

Property Use 0010 - VACANT RESIDENTIAL LAND (SINGLE FAMILY, PLATTED)

Total Acres 0.20

Site Code 0001 - NO OTHER CODE APPL.

Plat Book/Page 0011/0029

Subdivision SUN VALLEY SUBD

Land Description SUN VALLEY SUBD LOTS 1 & 24 BLK 81, LOTS 11-18 BLK 80

## VALUE SUMMARY

Category	2023	2022	2021
Market Value	\$900	\$900	\$800
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$900	\$900	\$800
Assessed Value School	\$900	\$900	\$800
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$900	\$900	\$800
Taxable Value School	\$900	\$900	\$800

## SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
04/14/2023	--	TD	--	9767/2349
06/29/2022	\$825,000	WD	--	9550/1225
01/04/2022	--	WD	--	9374/1479

## Vicinity Map

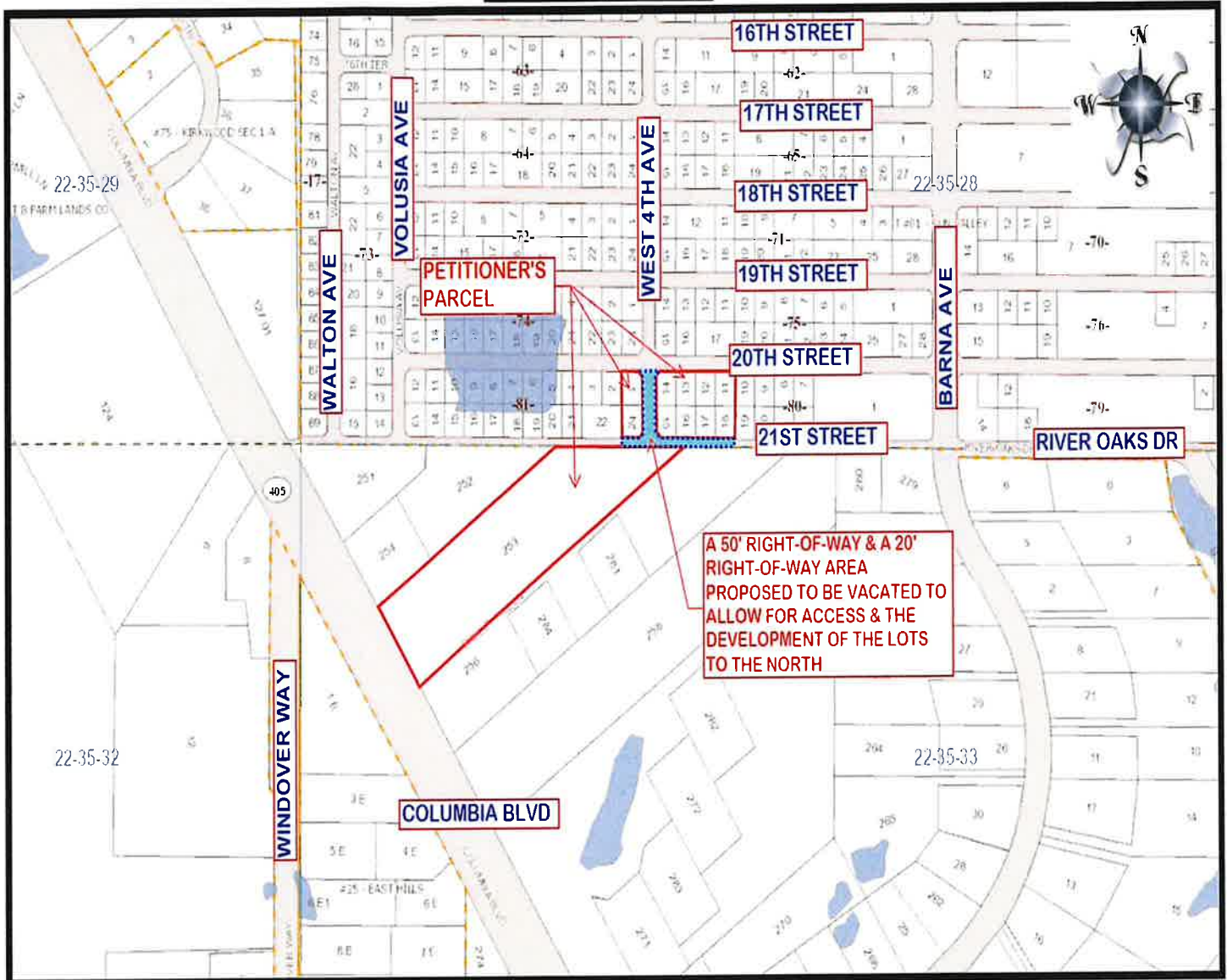


Figure 1: Map of the rights-of-ways to be vacated of West 4<sup>th</sup> Avenue & 21<sup>st</sup> Street, Sun valley, Titusville.

Dirschka Family Revocable Trust – West 4<sup>th</sup>  
Avenue & 21<sup>st</sup> Street – Titusville – “Sun  
Valley” – Plat Book 11, Page 29 – Section 28,  
Township 22 South, Range 35 East – District 1  
– Proposed Vacating of a portion of two  
Public Rights-of-ways



## Aerial Map



Figure 2: Aerial Map for the rights-of-ways to be vacated of West 4<sup>th</sup> Avenue & 21<sup>st</sup> Street, Sun valley, Titusville

Dirschka Family Revocable Trust – West 4<sup>th</sup>  
Avenue & 21<sup>st</sup> Street – Titusville – “Sun  
Valley” – Plat Book 11, Page 29 – Section 28,  
Township 22 South, Range 35 East – District 1  
– Proposed Vacating of a portion of two  
Public Rights-of-ways



# Plat Reference

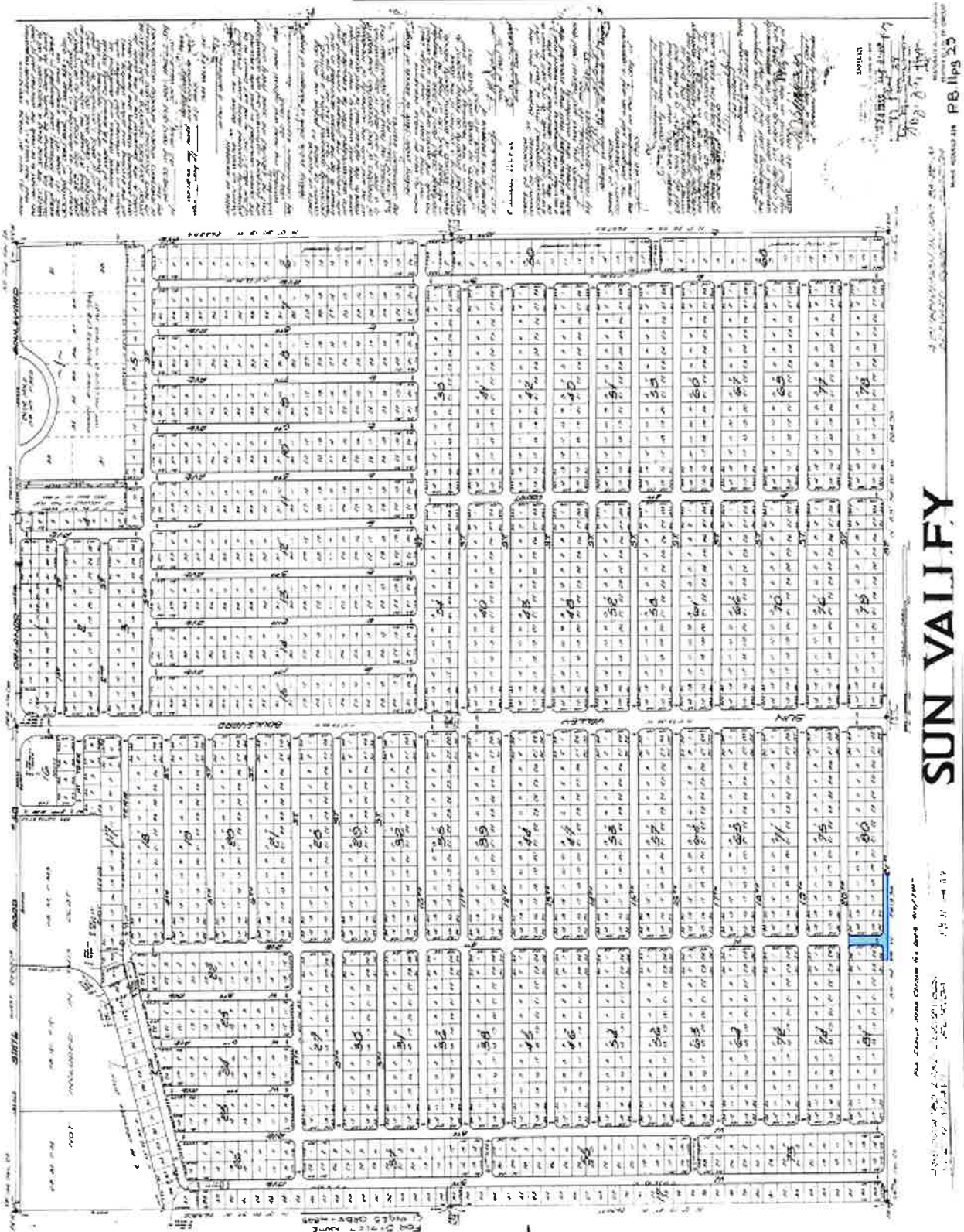


Figure 3: Copy of plat map "Sun Valley" dedicated to Brevard County June 1955.

# Petitioner's Sketch & Description Sheet 1 of 2

## LEGAL DESCRIPTION

SECTION 28, TOWNSHIP 22 SOUTH, RANGE 35 EAST

PARCEL ID NUMBER: N/A

PURPOSE OF SURVEY:  
TO SHOW THE AREA OF RIGHT-OF-WAY OF  
21ST STREET & WEST 4TH AVENUE TO BE  
VACATED

SHEET 1 OF 2  
NOT VALID WITHOUT THE  
SKETCH ON SHEET 2 OF 2

## LEGAL DESCRIPTION:

A PORTION OF THE RIGHT-OF-WAY OF WEST 4TH AVENUE (A 50 FOOT RIGHT-OF-WAY) LYING SOUTH OF 20TH STREET AND NORTH OF 21ST STREET BETWEEN LOTS 1 AND 24, BLOCK 81 AND LOTS 14 AND 15, BLOCK 80 AND A PORTION OF THE RIGHT-OF-WAY OF 21ST STREET (A 25 FOOT RIGHT-OF-WAY) LYING SOUTH OF AND ADJACENT TO LOTS 15-18, BLOCK 80, INCLUSIVE, AND SAID LOT 24, BLOCK 81 AS SHOWN ON THE PLAT OF SUN VALLEY RECORDED IN PLAT BOOK 11, PAGE 29, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, CONTAINING 22.087 SQUARE FEET (0.51 ACRES) MORE OR LESS.

## SURVEYOR'S NOTES:

1. BEARINGS ARE BASED ON THE SOUTHERLY RIGHT OF WAY LINE OF 20TH STREET, AS BEING, S 89°54'39" E, PER PLAT, ASSUMED.
2. THIS DRAWING IS A DESCRIPTION SKETCH ONLY AND DOES NOT REPRESENT A FIELD SURVEY OF THE PARCEL DESCRIBED.
3. SKETCH WAS BASED UPON BOUNDARY SURVEY COMPLETED BY FIRST CHOICE SURVEYING, INC. DATED 06/08/2022.

IN ACCORDANCE WITH CH-5J-17  
OF THE FLORIDA ADMINISTRATIVE CODE, THIS  
DESCRIPTION AND SKETCH OF DESCRIPTION  
BEARS THE NOTATION:

**THIS IS NOT A SURVEY**

### SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THE SKETCH OF DESCRIPTION OF THE  
HEREON DESCRIBED PROPERTY WAS PREPARED UNDER MY  
DIRECT SUPERVISION AND MEETS THE MINIMUM TECHNICAL  
STANDARDS SET FORTH BY THE FLORIDA BOARD OF  
PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER  
5J-17-0.060 THROUGH 5J-17-0.052, FLORIDA ADMINISTRATIVE  
CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

PREPARED FOR:  
ERIC DIRSCHKA  
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

CERTIFIED BY: JON SHOEMAKER PSM NO. 5144  
NOT VALID UNLESS SIGNED AND SEALED



PREPARED BY: FIRST CHOICE SURVEYING, INC.  
ADDRESS: P.O. BOX 470978, LAKE MONROE, FL 32747  
PHONE: 407.951.3425 (OFFICE) 407.520.5453 (FAX)  
LB #7564

DRAWN BY: <u>GS</u>	CHECKED BY: <u>KS</u>	DRAWING NO. <u>88812</u>	SECTION <u>28</u>
DATE: <u>04/16/2024</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS <u>2 (07/26/2024)</u>	TOWNSHIP <u>22</u> SOUTH
			RANGE <u>35</u> EAST

Figure 4: Legal Description. Sheet 1 of 2. Section 28, Township 22 South, Range 35 East.

# Petitioner's Sketch & Description Sheet 2 of 2

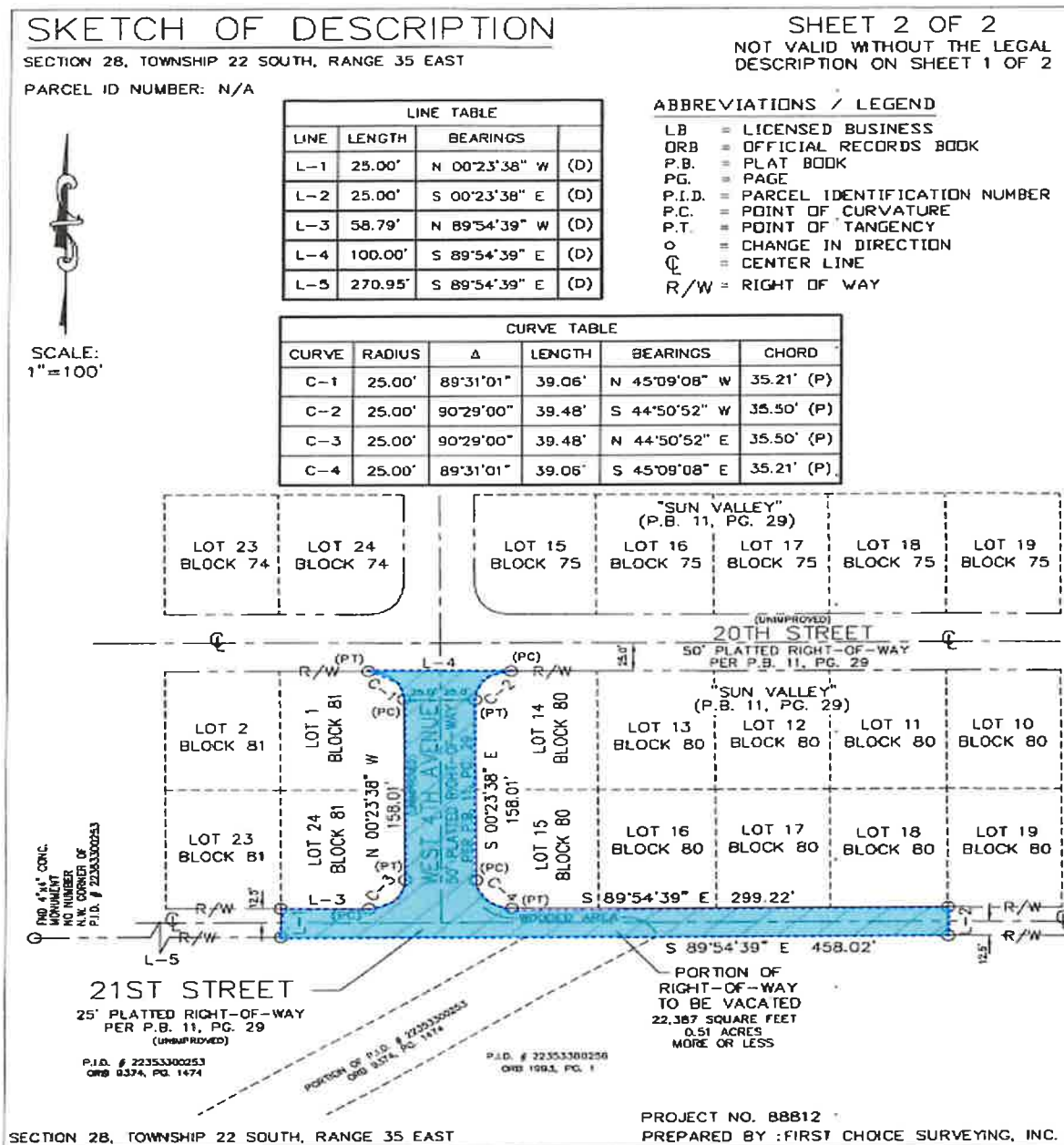


Figure 5: Sketch of description. Sheet 2 of 2. Section 28, Township 22 South, Range 35 East.

The sketch illustrates a portion of two public rights-of-ways, West 4<sup>th</sup> Avenue and 21<sup>st</sup> Street, Sun Valley, Titusville, Florida. The coordinate of the North line depicted is as follows. North boundary – South 89°54'39" East 100.00 Feet; East boundary – South 00°23'38" East 25.00 Feet; South boundary – South 89°54'39" East 458.02 Feet; West boundary – North 00°23'38" West 25.00 Feet. Prepared by: Jon Shoemaker, PSM 5144.



## Comment Sheet

Applicant: Dirschka

Updated by: Amber Holley 20240614 at 14:30 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20240531	20240603	Yes	No Objection
FL Power & Light	20240531	20240606	Yes	No Objection
At&t	20240531	20240610	Yes	No Objection
Charter/Spectrum	20240531	20240604	Yes	No Objection
Florida Gas Tran.	20240531	20240603	Yes	No Objections
City of Titusville	20240531	20240611	Yes	No Objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20240531	20240614	Yes	No Objection with a drainage easement
Land Planning	20240531	20240610	Yes	No objections
Utility Services	20240531	20240610	Yes	No objections
Storm Water	20240531	20240531	Yes	No Objections
Zoning	20240531	20240610	Yes	No objections
Land Acquisition	20240531	20240604	Yes	No objections
Fire Dept	20240531	20240603	Yes	No Objection
Traffic Eng	20240531	20240531	Yes	No Objections

# Public Hearing Legal Advertisement

Ad#10637907

10/7/2024

## LEGAL NOTICE

NOTICE FOR THE VACATING OF A PORTION OF TWO PUBLIC RIGHTS-OF-WAYS, PLAT OF "SUN VALLEY" IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 35 EAST, TITUSVILLE, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article 11, Section 86-36, Brevard County Code, a petition has been filed by DIRSCHKA FAMILY REVOCABLE TRUST with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

A PORTION OF THE RIGHT-OF-WAY OF WEST 4TH AVENUE (A 50 FOOT RIGHT-OF-WAY) LYING SOUTH OF 20TH STREET AND NORTH OF 21ST STREET BETWEEN LOTS 1 AND 24, BLOCK 81 AND LOTS 14 AND 15, BLOCK 80 AND A PORTION OF THE RIGHT-OF-WAY OF 21ST STREET (A 25 FOOT RIGHT-OF-WAY) LYING SOUTH OF AND ADJACENT TO LOTS 15-18, BLOCK 80, INCLUSIVE, AND SAID LOT 24, BLOCK 81 AS SHOWN ON THE PLAT OF SUN VALLEY RECORDED IN PLAT BOOK 11, PAGE 29, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 22,387 SQUARE FEET (0.51 ACRES) MORE OR LESS. PREPARED BY: JON SHOE-MAKER, PSM.

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 9:00 A.M. on October 22, 2024, at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken. Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense. The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.

Figure 6: Copy of public hearing advertisement as published on October 7, 2024. See the next page for full text.

## Legal Notice Text

### LEGAL NOTICE

NOTICE FOR THE VACATING OF A PORTION OF TWO PUBLIC RIGHTS-OF-WAYS, PLAT OF "SUN VALLEY" IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 35 EAST, TITUSVILLE, FL

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## Drainage and Access Easement

Prepared by and return to: Jean Kremitzki Public Works  
Department, Land Acquisition  
2725 Judge Fran Jamieson Way, A204, Viera, Florida 32940  
A portion of Interest in 21<sup>ST</sup> Street, S28, T22S, R35E

### **DRAINAGE AND ACCESS EASEMENT**

**THIS INDENTURE**, made this 9th day of September, 2024, between George Eric Dirschka, as Trustee and Carrie Elizabeth Dirschka, as Trustee of the Dirschka Family Revocable Trust, dated April 14, 2023, whose mailing address is 2021 Breezy Hill Lane, Titusville, Florida 32780, as the first party, and Brevard County, a political subdivision of the State of Florida, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940, as the second party, for the use and benefit of Brevard County, Florida.

**WITNESSETH** that the first party, in consideration of One Dollar (\$1.00) and other valuable consideration paid, the receipt of which is acknowledged, grants unto the second party, its successors and assigns, a perpetual easement commencing on the above date for the purposes of access and reconstructing, reconfiguring, and maintaining drainage facilities and other allied uses pertaining thereto, over, under, upon, above, and through the following lands:

The land affected by the granting of the easement is located in Section 28, Township 22 South, Range 35 East, Brevard County, Florida, and being more particularly described as follows:

### **SEE LEGAL DESCRIPTION ATTACHED HERETO AS "EXHIBIT A"**

Including the right of ingress and egress onto the easement area as may be necessary for the full use and enjoyment by the second party of its easement. The first party shall have full use and enjoyment of the easement area but shall not make any improvements within the easement area which will conflict or interfere with the easement granted herein.

**TO HAVE AND TO HOLD** said easement unto Brevard County, a political subdivision of the State of Florida, and to its successors and/or assigns. The first party does covenant with the second party that it is lawfully seized and possessed of the lands above described and that it has a good and lawful right to convey it or any part thereof.

(Signatures and Notary on following two pages)

# Drainage and Access Easement

IN WITNESS WHEREOF, the first party has caused this easement to be executed, the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]  
Witness

Daylee Ricci

Print Name

1920 Choney Hwy, Titusville, FL 32780

Address

By: George Eric Dirschka

George Eric Dirschka,  
Trustee of the Dirschka  
Family Revocable Trust,  
Dated April 14, 2023

[Signature]  
Witness

Kalena Spangler

Print Name

1920 Choney Hwy, Titusville, FL 32780

Address

STATE OF FLORIDA

COUNTY OF Brevard

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 9 day of Sept., 2024 by George Eric Dirschka, as Trustee of the Dirschka Family Revocable Trust, dated April 14, 2023. Is ☐ personally known or ☒ produced converliens as identification.

[Signature]

Notary Signature

SEAL

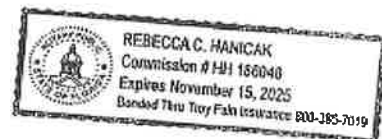


Figure 7: Easement signature page for George Eric Dirschka signed September 9, 2024.

## Drainage and Access Easement

**IN WITNESS WHEREOF**, the first party has caused this easement to be executed, the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]  
Witness

Barbara Ricci  
Print Name

1920 Cheney Hwy Titusville, FL 32780  
Address

By: [Signature]  
Carrie Elizabeth Dirschka,  
Trustee of the Dirschka  
Family Revocable Trust,  
Dated April 14, 2023

[Signature]  
Witness

Kalena Spangler  
Print Name

1920 Cheney Hwy Titusville, FL 32780  
Address

STATE OF FLORIDA

COUNTY OF Brevard

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 9 day of Sept., 2024 by Carrie Elizabeth Dirschka, as Trustee of the Dirschka Family Revocable Trust, dated April 14, 2023. Is ☐ personally known or ☒ produced [Signature] as identification.

[Signature]  
Notary Signature

SEAL

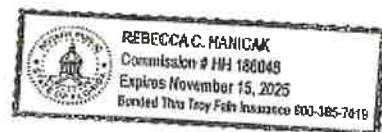


Figure 8: Easement signature page for Carrie Elizabeth Dirschka signed September 9, 2024.



# Drainage and Access Easement


<b>LEGAL DESCRIPTION</b>		EXHIBIT "A" SHEET 1 OF 2 NOT VALID WITHOUT THE SKETCH ON SHEET 2 OF 2	
SECTION 28, TOWNSHIP 22 SOUTH, RANGE 35 EAST PARCEL ID NUMBER: PARCEL 800			
PURPOSE OF SKETCH: DRAINAGE AND ACCESS EASEMENT			
<b>LEGAL DESCRIPTION PARCEL 800, DRAINAGE AND ACCESS EASEMENT (BY SURVEYOR):</b>			
A PORTION OF THE RIGHT-OF-WAY OF 21ST STREET [A 25 FOOT RIGHT-OF-WAY] BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHWEST CORNER OF LOT 24, BLOCK 81 AS SHOWN ON THE PLAT OF SUN VALLEY RECORDED IN PLAT BOOK 11, PAGE 29, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE SOUTH 89°54'39" EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF 21ST STREET, 458.02 FEET TO THE SOUTHEAST CORNER OF LOT 18, BLOCK 80, THENCE DEPARTING SAID RIGHT-OF-WAY LINE, RUN SOUTH 00°23'38" EAST, 25.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID 21ST STREET; THENCE NORTH 89°54'39" WEST, 458.02 FEET; THENCE NORTH 00°23'38" WEST, 25.00 FEET TO THE POINT OF BEGINNING. CONTAINING: 11,450 SQUARE FEET / 0.26 ACRES, MORE OR LESS.			
<b>SURVEYOR'S NOTES:</b>			
1. BEARINGS ARE BASED ON THE SOUTHERLY RIGHT OF WAY LINE OF 21ST STREET, AS BEING, S 89°54'39" E, PER PLAT, ASSUMED. 2. THIS DRAWING IS A DESCRIPTION SKETCH ONLY AND DOES NOT REPRESENT A FIELD SURVEY OF THE PARCEL DESCRIBED.			
IN ACCORDANCE WITH CH-5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, THIS DESCRIPTION AND SKETCH OF DESCRIPTION BEARS THE NOTATION: <b>THIS IS NOT A SURVEY</b>			
SURVEYORS CERTIFICATE I HEREBY CERTIFY THAT THE SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY WAS PREPARED UNDER MY DIRECT SUPERVISION AND MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17-0.050 THROUGH 5J-17-0.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.			
PREPARED FOR: ERIC DIRSCHKA BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS		 08/08/2024 CERTIFIED BY: JON SHOEMAKER PSM NO. 5144 NOT VALID UNLESS SIGNED AND SEALED	
PREPARED BY: FIRST CHOICE SURVEYING, INC. ADDRESS: P.O. BOX 470978, LAKE MONROE, FL 32747 PHONE: 407.951.3425 (OFFICE) 407.520.5453 (FAX) LB #7564			
DRAWN BY: <u>KS</u>	CHECKED BY: <u>LR</u>	DRAWING NO. <u>88812-02</u>	SECTION <u>28</u>
DATE: <u>07/11/2024</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS <u>3 08/08/2024</u>	TOWNSHIP <u>22</u> SOUTH
			RANGE <u>35</u> EAST

Figure 9: Easement legal description page 1 of 2. Section 28, Township 22 South, Range 35 East.

# Drainage and Access Easement

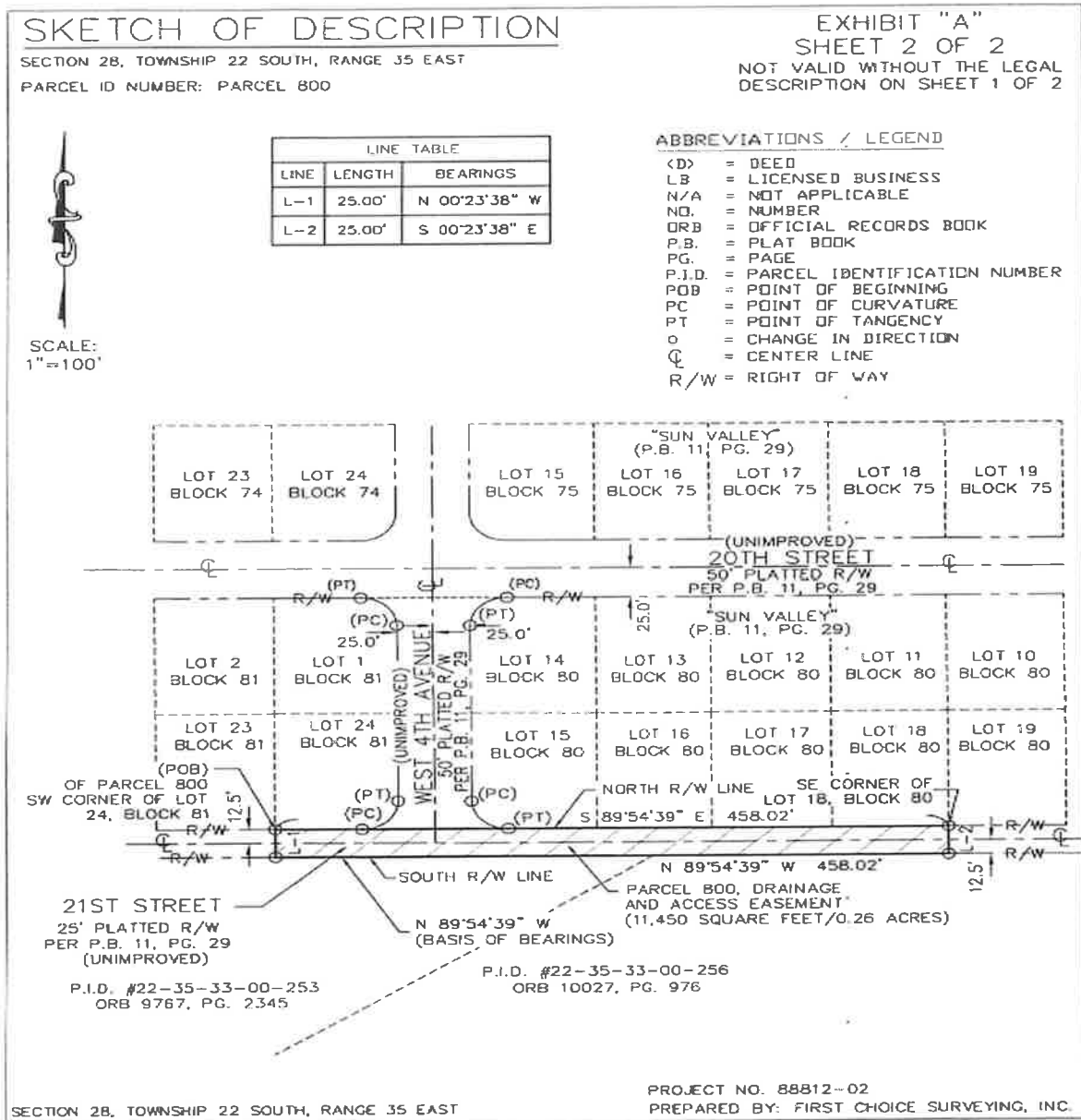


Figure 10: Easement sketch page 2 of 2 showing the area to be conveyed as a drainage and access easement on 21<sup>st</sup> Street, Sun Valley.

The sketch & description illustrates a 25-foot-wide portion of a public right-of-way (21<sup>st</sup> Street) to be dedicated as a drainage and access easement to Brevard County lying South of Blocks 80 & 81, Sun Valley, Titusville, Florida. The coordinate of the North line depicted is as follows. North boundary – South 89°54'39" East 458.02'; East boundary – South 00°23'38" East 25.00'; South boundary – North 89°54'39" West 458.02'; West boundary – North 00°23'38" West 25.00'. Prepared by: Jon Shoemaker, Project NO: 88812-02.

## LEGAL NOTICE

RESOLUTION VACATING A PORTION OF TWO PUBLIC RIGHTS OF WAYS IN PLAT  
"SUN VALLEY", TITUSVILLE, LYING IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 35  
EAST-DIRSCHKA FAMILY REVOCABLE TRUST

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on October 22, 2024, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of two public rights of ways in Plat "Sun Valley", Titusville, lying in Section 28, Township 22 South, Range 35 East as Petitioned by Dirschka Family Revocable Trust.

### LEGAL DESCRIPTION:

**A PORTION OF THE RIGHT-OF-WAY OF WEST 4TH AVENUE (A 50 FOOT RIGHT-OF-WAY) LYING SOUTH OF 20TH STREET AND NORTH OF 21ST STREET BETWEEN LOTS 1 AND 24, BLOCK 81 AND LOTS 14 AND 15, BLOCK 80 AND A PORTION OF THE RIGHT-OF-WAY OF 21ST STREET (A 25 FOOT RIGHT-OF-WAY) LYING SOUTH OF AND ADJACENT TO LOTS 15-18, BLOCK 80, INCLUSIVE, AND SAID LOT 24, BLOCK 81 AS SHOWN ON THE PLAT OF SUN VALLEY RECORDED IN PLAT BOOK 11, PAGE 29, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 22,387 SQUARE FEET (0.51 ACRES) MORE OR LESS. PREPARED BY: JON SHOEMAKER, PSM.**

The Board further renounced and disclaimed any right of the County in and to said public rights of ways.

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF  
BREVARD COUNTY, FLORIDA

RACHEL M. SADOFF, CLERK

BY: Kimberly Powell, Clerk to the Board

### **Florida TODAY:**

Please advertise in the October 29, 2024, issue of the Florida TODAY. **Bill the Board of County Commissioners Account Number BRE-6BR327 and forward bill and proof of publication to: Amber Holley, Public Works Department, 2725 Judge Fran Jamieson Way, Bldg. A-220, Viera, FL 32940.**



## Samantha McDaniel

---

**From:** Holley, Amber <Amber.Holley@brevardfl.gov>  
**Sent:** Tuesday, October 22, 2024 1:19 PM  
**To:** Samantha McDaniel  
**Cc:** Donna Scott; Nicole Summers  
**Subject:** [EXTERNAL EMAIL]Commission Meeting October 22, 2024  
**Attachments:** Legal Description-Dirschka.docx; Legal Description-Pena.docx

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments, clicking links or responding to unknown senders.

I have attached the legal description from the approval on the 10/22 meeting.

Owner information:

- H.4. Dirschka Family Revocable Trust, 2021 Breezy Hill Lane, Titusville, FL 32780.
- H.5. Justo O. Pena, 930 Fir Street, Barefoot Bay, FL 32976.

Sincerely,  
Amber Holley  
Public Works/ Survey Dept.  
321-350-8346

"Under Florida Law, email addresses are Public Records. If you do not want your e-mail address released in response to public record requests, do not send electronic mail to this entity. Instead, contact this office by phone or in writing."

A PORTION OF THE RIGHT-OF-WAY OF WEST 4TH AVENUE (A 50 FOOT RIGHT-OF-WAY) LYING SOUTH OF 20TH STREET AND NORTH OF 21ST STREET BETWEEN LOTS 1 AND 24, BLOCK 81 AND LOTS 14 AND 15, BLOCK 80 AND A PORTION OF THE RIGHT-OF-WAY OF 21ST STREET (A 25 FOOT RIGHT-OF-WAY) LYING SOUTH OF AND ADJACENT TO LOTS 15-18, BLOCK 80, INCLUSIVE, AND SAID LOT 24, BLOCK 81 AS SHOWN ON THE PLAT OF SUN VALLEY RECORDED IN PLAT BOOK 11, PAGE 29, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 22,387 SQUARE FEET (0.51 ACRES) MORE OR LESS. PREPARED BY: JON SHOEMAKER, PSM.

**Resolution 2024 -120**

**Vacating a portion of two public rights-of-ways in plat "Sun Valley", Titusville, Florida, lying in Section 28, Township 22 South, Range 35 East**

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **Dirschka Family Revocable Trust** with the Board of County Commissioners to vacate a public rights-of-ways in Brevard County, Florida, described as follows:

**SEE ATTACHED SKETCH & DESCRIPTION**

WHEREAS, the vacating action will in no way affect any private easements which may also be present in the existing public easement(s) or public right-of-way, nor does this action guarantee or transfer title.

WHEREAS, notice of the public hearing before the Board of County Commissioners was published one time in the TODAY Newspaper, a newspaper of general circulation in Brevard County, Florida, prior to the public hearing; and

WHEREAS, the Board finds that vacating the public rights-of-ways will not be detrimental to Brevard County or the public.


THEREFORE BE IT RESOLVED that said public rights-of-ways are hereby vacated by Brevard County; and this vacating action releases, renounces, and disclaims any right, title, or interest Brevard County may possess over the property at issue, and shall not be deemed to warrant any right, title, interest or to represent any state of facts concerning the same. Pursuant to Section 177.101(5), Florida Statutes, the vacating shall not become effective until a certified copy of this resolution is filed in the offices of the Clerk of Courts and recorded in the Public Records of Brevard County.

DONE, ORDERED, AND ADOPTED, in regular session, this 22<sup>nd</sup> day of October, 2024 A.D.

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

ATTEST:

  
Rachel Sadoff, Clerk

  
Jason Steele, Chair

As approved by the Board on:  
October 22, 2024

# LEGAL DESCRIPTION

SECTION 28, TOWNSHIP 22 SOUTH, RANGE 35 EAST

PARCEL ID NUMBER: N/A

## PURPOSE OF SURVEY:

TO SHOW THE AREA OF RIGHT-OF-WAY OF  
21ST STREET & WEST 4TH AVENUE TO BE  
VACATED

SHEET 1 OF 2  
NOT VALID WITHOUT THE  
SKETCH ON SHEET 2 OF 2

## LEGAL DESCRIPTION:

A PORTION OF THE RIGHT-OF-WAY OF WEST 4TH AVENUE (A 50 FOOT RIGHT-OF-WAY) LYING SOUTH OF 20TH STREET AND NORTH OF 21ST STREET BETWEEN LOTS 1 AND 24, BLOCK 81 AND LOTS 14 AND 15, BLOCK 80 AND A PORTION OF THE RIGHT-OF-WAY OF 21ST STREET (A 25 FOOT RIGHT-OF-WAY) LYING SOUTH OF AND ADJACENT TO LOTS 15-18, BLOCK 80, INCLUSIVE, AND SAID LOT 24, BLOCK 81 AS SHOWN ON THE PLAT OF SUN VALLEY RECORDED IN PLAT BOOK 11, PAGE 29, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 22,387 SQUARE FEET (0.51 ACRES) MORE OR LESS.

## SURVEYOR'S NOTES:

1. BEARINGS ARE BASED ON THE SOUTHERLY RIGHT OF WAY LINE OF 20TH STREET, AS BEING, S 89°54'39" E, PER PLAT, ASSUMED.
2. THIS DRAWING IS A DESCRIPTION SKETCH ONLY AND DOES NOT REPRESENT A FIELD SURVEY OF THE PARCEL DESCRIBED.
3. SKETCH WAS BASED UPON BOUNDARY SURVEY COMPLETED BY FIRST CHOICE SURVEYING, INC. DATED 06/08/2022.

IN ACCORDANCE WITH CH-5J-17  
OF THE FLORIDA ADMINISTRATIVE CODE, THIS  
DESCRIPTION AND SKETCH OF DESCRIPTION  
BEARS THE NOTATION:

**THIS IS NOT A SURVEY**

### SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THE SKETCH OF DESCRIPTION OF THE  
HEREON DESCRIBED PROPERTY WAS PREPARED UNDER MY  
DIRECT SUPERVISION AND MEETS THE MINIMUM TECHNICAL  
STANDARDS SET FORTH BY THE FLORIDA BOARD OF  
PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER  
5J-17-0.050 THROUGH 5J-17-0.052, FLORIDA ADMINISTRATIVE  
CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

PREPARED FOR:  
ERIC DIRSCHKA  
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS



CERTIFIED BY: JON SHOEMAKER PSM NO. 5144  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: FIRST CHOICE SURVEYING, INC.  
ADDRESS: P.O. BOX 470978, LAKE MONROE, FL 32747  
PHONE: 407.951.3425 (OFFICE) 407.520.5453 (FAX)  
LB #7564

DRAWN BY: <u>GS</u>	CHECKED BY: <u>KS</u>	DRAWING NO. <u>88812</u>	SECTION <u>28</u>
DATE: <u>04/16/2024</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS <u>2 (07/26/2024)</u>	TOWNSHIP <u>22</u> SOUTH
			RANGE <u>35</u> EAST

# SKETCH OF DESCRIPTION

SECTION 28, TOWNSHIP 22 SOUTH, RANGE 35 EAST

PARCEL ID NUMBER: N/A

SHEET 2 OF 2  
NOT VALID WITHOUT THE LEGAL  
DESCRIPTION ON SHEET 1 OF 2



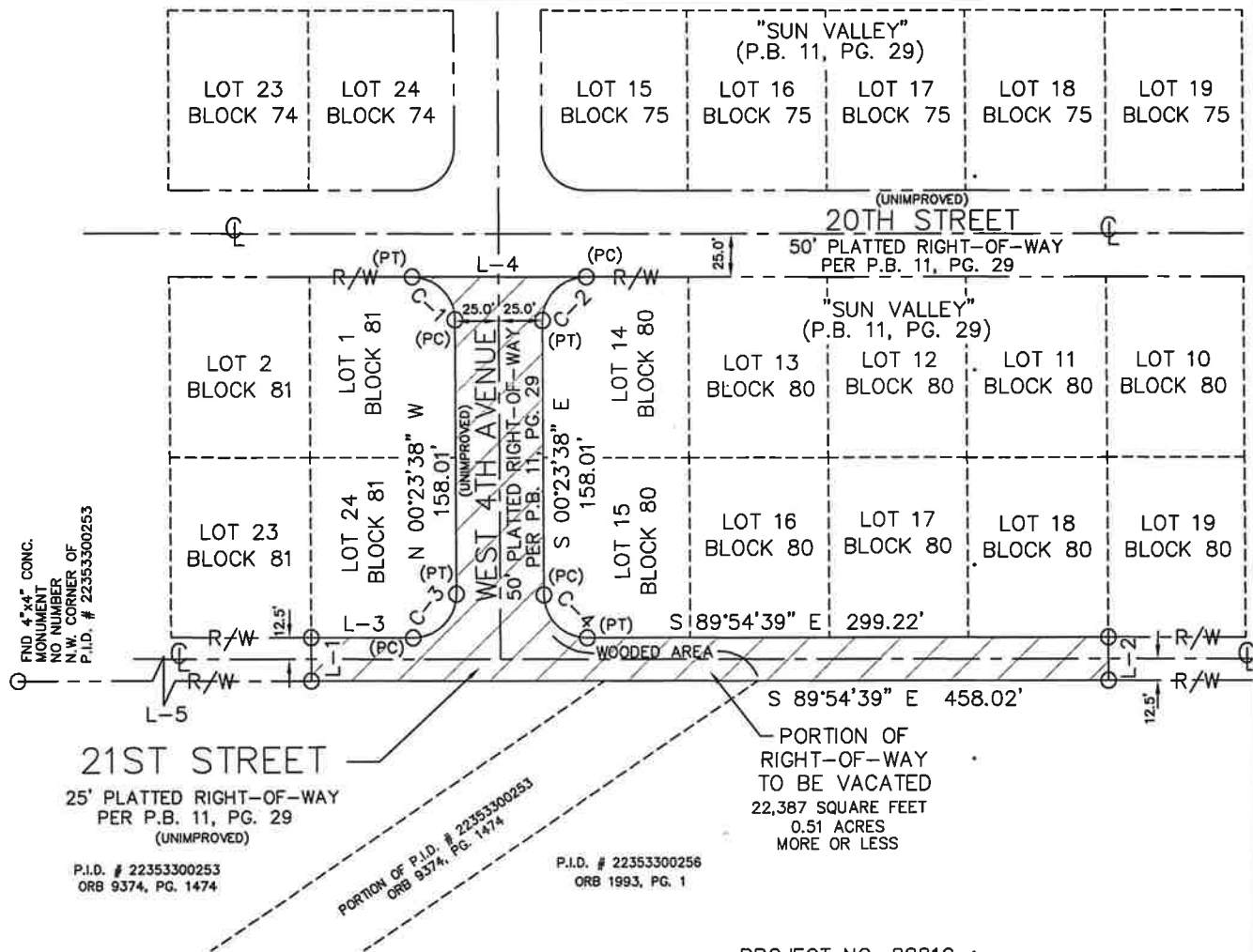
SCALE:  
1"=100'

LINE TABLE			
LINE	LENGTH	BEARINGS	
L-1	25.00'	N 00°23'38" W (D)	
L-2	25.00'	S 00°23'38" E (D)	
L-3	58.79'	N 89°54'39" W (D)	
L-4	100.00'	S 89°54'39" E (D)	
L-5	270.95'	S 89°54'39" E (D)	

## ABBREVIATIONS / LEGEND

LB = LICENSED BUSINESS  
ORB = OFFICIAL RECORDS BOOK  
P.B. = PLAT BOOK  
PG. = PAGE  
P.I.D. = PARCEL IDENTIFICATION NUMBER  
P.C. = POINT OF CURVATURE  
P.T. = POINT OF TANGENCY  
o = CHANGE IN DIRECTION  
CL = CENTER LINE  
R/W = RIGHT OF WAY

CURVE TABLE					
CURVE	RADIUS	Δ	LENGTH	BEARINGS	CHORD
C-1	25.00'	89°31'01"	39.06'	N 45°09'08" W	35.21' (P)
C-2	25.00'	90°29'00"	39.48'	S 44°50'52" W	35.50' (P)
C-3	25.00'	90°29'00"	39.48'	N 44°50'52" E	35.50' (P)
C-4	25.00'	89°31'01"	39.06'	S 45°09'08" E	35.21' (P)



SECTION 28, TOWNSHIP 22 SOUTH, RANGE 35 EAST

PROJECT NO. 88812  
PREPARED BY :FIRST CHOICE SURVEYING, INC.





Florida

GANNETT

PO Box 631244 Cincinnati, OH 45263-1244

# **AFFIDAVIT OF PUBLICATION**

Amber Holley  
Amber Holly  
Brevard County Public Works Dept. Surveying & Mapping Program  
2725 Judge Fran Jamieson Way, Room A-220  
Viera FL 32940

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Florida Today, a daily newspaper published in Brevard County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Govt Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

10/07/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 10/07/2024

Legal Clerk

Notary, State of WI, County of Brown

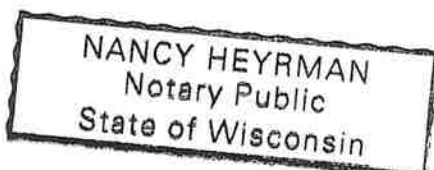
5.15.27

My commission expires

Publication Cost:	\$255.08	
Tax Amount:	\$0.00	
Payment Cost:	\$255.08	
Order No:	10637907	# of Copies:
Customer No:	1127286	1
PO #:	4500092228-10	

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*



Ad#10637907 10/7/2024  
**LEGAL NOTICE**  
NOTICE FOR THE VACATING OF A PORTION OF TWO PUBLIC RIGHTS-OF-WAYS, PLAT OF "SUN VALLEY" IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 35 EAST, TITUSVILLE, FL. NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article 11, Section 86-36, Brevard County Code, a petition has been filed by DIRSCHKA FAMILY REVOCABLE TRUST with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:  
A PORTION OF THE RIGHT-OF-WAY OF WEST 4TH AVENUE (A 50 FOOT RIGHT-OF-WAY) LYING SOUTH OF 20TH STREET AND NORTH OF 21ST STREET BETWEEN LOTS 1 AND 24, BLOCK 81 AND LOTS 14 AND 15, BLOCK 80 AND A PORTION OF THE RIGHT-OF-WAY OF 21ST STREET (A 25 FOOT RIGHT-OF-WAY) LYING SOUTH OF AND ADJACENT TO LOTS 15-18, BLOCK 80, INCLUSIVE, AND SAID LOT 24, BLOCK 81 AS SHOWN ON THE PLAT OF SUN VALLEY RECORDED IN PLAT BOOK 11, PAGE 29, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 22,387 SQUARE FEET (0.51 ACRES) MORE OR LESS. PREPARED BY: JON SHOE-MAKER, PSM.  
The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at 9:00 A.M. on October 22, 2024, at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken. Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense. The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.



Florida

PO Box 631244 Cincinnati, OH 45263-1244

GANNETT

# **AFFIDAVIT OF PUBLICATION**

Samantha McDaniel  
Brevard County Clerk Donna Scott -Survey  
Brevard Cty Public Works Dept  
2725 Judge Fran Jamieson Way Bldg A  
Viera FL 32940-6605

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Florida Today, a daily newspaper published in Brevard County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

10/29/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 10/29/2024

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$181.82

Tax Amount: \$0.00

Payment Cost: \$181.82

Order No: 10710091

# of Copies:

Customer No: 1127286

1

PO #:

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*

Ad#10710091 10/29/2024

## **LEGAL NOTICE**

RESOLUTION VACATING A PORTION OF TWO PUBLIC RIGHTS OF WAYS IN PLAT "SUN VALLEY", TITUSVILLE, LYING IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 35 EAST-DIRSCHKA FAMILY REVOCABLE TRUST

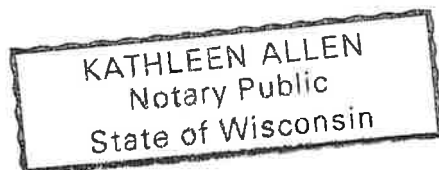
TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on October 22, 2024, the Board of County Commissioners of Brevard County, Florida, adopted a Resolution vacating a portion of two public rights of ways in Plat "Sun Valley", Titusville, lying in Section 28, Township 22 South, Range 35 East as Petitioned by Dirschka Family Revocable Trust.

## **LEGAL DESCRIPTION:**

A PORTION OF THE RIGHT-OF-WAY OF WEST 4TH AVENUE (A 50 FOOT RIGHT-OF-WAY) LYING SOUTH OF 20TH STREET AND NORTH OF 21ST STREET BETWEEN LOTS 1 AND 24, BLOCK 81 AND LOTS 14 AND 15, BLOCK 80 AND A PORTION OF THE RIGHT-OF-WAY OF 21ST STREET (A 25 FOOT RIGHT-OF-WAY) LYING SOUTH OF AND ADJACENT TO LOTS 15-18, BLOCK 80, INCLUSIVE, AND SAID LOT 24, BLOCK 81 AS SHOWN ON THE PLAT OF SUN VALLEY RECORDED IN PLAT BOOK 11, PAGE 29, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 22,387 SQUARE FEET (0.51 ACRES) MORE OR LESS. PREPARED BY: JON SHOE-MAKER, PSM.

The Board further renounced and disclaimed any right of the County in and to said public rights of ways. BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA RACHEL M. SADOFF, CLERK BY: Kimberly Powell, Clerk to the Board



Prepared by and return to: Jean Kremitzki  
Public Works Department, Land Acquisition  
2725 Judge Fran Jamieson Way, A204, Viera, Florida 32940  
A portion of Interest in 21<sup>ST</sup> Street, S28, T22S, R35E

### **DRAINAGE AND ACCESS EASEMENT**

**THIS INDENTURE**, made this 9 day of SEPTEMBER, 2024, between George Eric Dirschka, as Trustee and Carrie Elizabeth Dirschka, as Trustee of the Dirschka Family Revocable Trust, dated April 14, 2023, whose mailing address is 2021 Breezy Hill Lane, Titusville, Florida 32780, as the first party, and Brevard County, a political subdivision of the State of Florida, whose address is 2725 Judge Fran Jamieson Way, Viera, Florida 32940, as the second party, for the use and benefit of Brevard County, Florida.

**WITNESSETH** that the first party, in consideration of One Dollar (\$1.00) and other valuable consideration paid, the receipt of which is acknowledged, grants unto the second party, its successors and assigns, a perpetual easement commencing on the above date for the purposes of access and reconstructing, reconfiguring, and maintaining drainage facilities and other allied uses pertaining thereto, over, under, upon, above, and through the following lands:

The land affected by the granting of the easement is located in Section 28, Township 22 South, Range 35 East, Brevard County, Florida, and being more particularly described as follows:

### **SEE LEGAL DESCRIPTION ATTACHED HERETO AS "EXHIBIT A"**

Including the right of ingress and egress onto the easement area as may be necessary for the full use and enjoyment by the second party of its easement. The first party shall have full use and enjoyment of the easement area but shall not make any improvements within the easement area which will conflict or interfere with the easement granted herein.

**TO HAVE AND TO HOLD** said easement unto Brevard County, a political subdivision of the State of Florida, and to its successors and/or assigns. The first party does covenant with the second party that it is lawfully seized and possessed of the lands above described and that it has a good and lawful right to convey it or any part thereof.

(Signatures and Notary on following two pages)

IN WITNESS WHEREOF, the first party has caused this easement to be executed,  
the day and year first above written.

Signed, sealed and delivered in the presence of:



Witness

Dayle Ricci

Print Name

1920 Cheney Hwy, Titusville, FL 32780

Address

By:



George Eric Dirschka,  
Trustee of the Dirschka  
Family Revocable Trust,  
Dated April 14, 2023



Witness

Kalena Spangler

Print Name

1920 Cheney Hwy, Titusville, FL 32780

Address

STATE OF FLORIDA

COUNTY OF Brevard

The foregoing instrument was acknowledged before me by means of ☒ physical  
presence or ☐ online notarization on this 9 day of Sept., 2024 by  
George Eric Dirschka, as Trustee of the Dirschka Family Revocable Trust, dated  
April 14, 2023. Is ☐ personally known or ☒ produced converliens as  
identification.



Notary Signature

SEAL



IN WITNESS WHEREOF, the first party has caused this easement to be executed, the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]

Witness

Carrie Dirschka

Print Name

1920 Cheney Hwy Titusville, FL 32780

Address

By:

Carrie Elizabeth Dirschka

Carrie Elizabeth Dirschka,  
Trustee of the Dirschka  
Family Revocable Trust,  
Dated April 14, 2023

[Signature]

Witness

Kalena Spangler

Print Name

1920 Cheney Hwy Titusville, FL 32780

Address

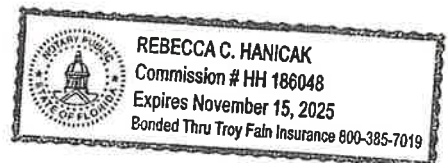
STATE OF FLORIDA  
COUNTY OF Brevard

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 9 day of Sept., 2024 by Carrie Elizabeth Dirschka, as Trustee of the Dirschka Family Revocable Trust, dated April 14, 2023. Is ☐ personally known or ☒ produced in person as identification.

[Signature]

Notary Signature

SEAL





# LEGAL DESCRIPTION

SECTION 28, TOWNSHIP 22 SOUTH, RANGE 35 EAST

PARCEL ID NUMBER: PARCEL 800

PURPOSE OF SKETCH:  
DRAINAGE AND ACCESS EASEMENT

EXHIBIT "A"  
SHEET 1 OF 2  
NOT VALID WITHOUT THE  
SKETCH ON SHEET 2 OF 2

## LEGAL DESCRIPTION PARCEL 800, DRAINAGE AND ACCESS EASEMENT (BY SURVEYOR):

A PORTION OF THE RIGHT-OF-WAY OF 21ST STREET (A 25 FOOT RIGHT-OF-WAY) BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHWEST CORNER OF LOT 24, BLOCK 81 AS SHOWN ON THE PLAT OF SUN VALLEY RECORDED IN PLAT BOOK 11, PAGE 29, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE SOUTH 89°54'39" EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF 21ST STREET, 458.02 FEET TO THE SOUTHEAST CORNER OF LOT 18, BLOCK 80, THENCE DEPARTING SAID RIGHT-OF-WAY LINE, RUN SOUTH 00°23'38" EAST, 25.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID 21ST STREET; THENCE NORTH 89°54'39" WEST, 458.02 FEET; THENCE NORTH 00°23'38" WEST, 25.00 FEET TO THE POINT OF BEGINNING.

CONTAINING: 11,450 SQUARE FEET / 0.26 ACRES, MORE OR LESS.

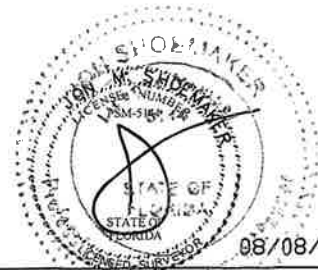
## SURVEYOR'S NOTES:

1. BEARINGS ARE BASED ON THE SOUTHERLY RIGHT OF WAY LINE OF 21ST STREET, AS BEING, S 89°54'39" E, PER PLAT, ASSUMED.
2. THIS DRAWING IS A DESCRIPTION SKETCH ONLY AND DOES NOT REPRESENT A FIELD SURVEY OF THE PARCEL DESCRIBED.

IN ACCORDANCE WITH CH-5J-17  
OF THE FLORIDA ADMINISTRATIVE CODE, THIS  
DESCRIPTION AND SKETCH OF DESCRIPTION  
BEARS THE NOTATION:

**THIS IS NOT A SURVEY**

SURVEYORS CERTIFICATE  
I HEREBY CERTIFY THAT THE SKETCH OF DESCRIPTION OF THE  
HEREON DESCRIBED PROPERTY WAS PREPARED UNDER MY  
DIRECT SUPERVISION AND MEETS THE MINIMUM TECHNICAL  
STANDARDS SET FORTH BY THE FLORIDA BOARD OF  
PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER  
5J-17-0.050 THROUGH 5J-17-0.052, FLORIDA ADMINISTRATIVE  
CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.



08/08/2024

PREPARED FOR:  
ERIC DIRSCHKA  
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

CERTIFIED BY: JON SHOEMAKER PSM NO. 5144  
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: FIRST CHOICE SURVEYING, INC.  
ADDRESS: P.O. BOX 470978, LAKE MONROE, FL 32747  
PHONE: 407.951.3425 (OFFICE) 407.520.5453 (FAX)  
LB #7564

DRAWN BY: <u>KS</u>	CHECKED BY: <u>LR</u>	DRAWING NO. <u>88812-02</u>	SECTION <u>28</u>
DATE: <u>07/11/2024</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS <u>3</u> <u>08/08/2024</u>	TOWNSHIP <u>22</u> SOUTH
			RANGE <u>35</u> EAST

# SKETCH OF DESCRIPTION

SECTION 28, TOWNSHIP 22 SOUTH, RANGE 35 EAST

PARCEL ID NUMBER: PARCEL 800

EXHIBIT "A"  
SHEET 2 OF 2

NOT VALID WITHOUT THE LEGAL  
DESCRIPTION ON SHEET 1 OF 2

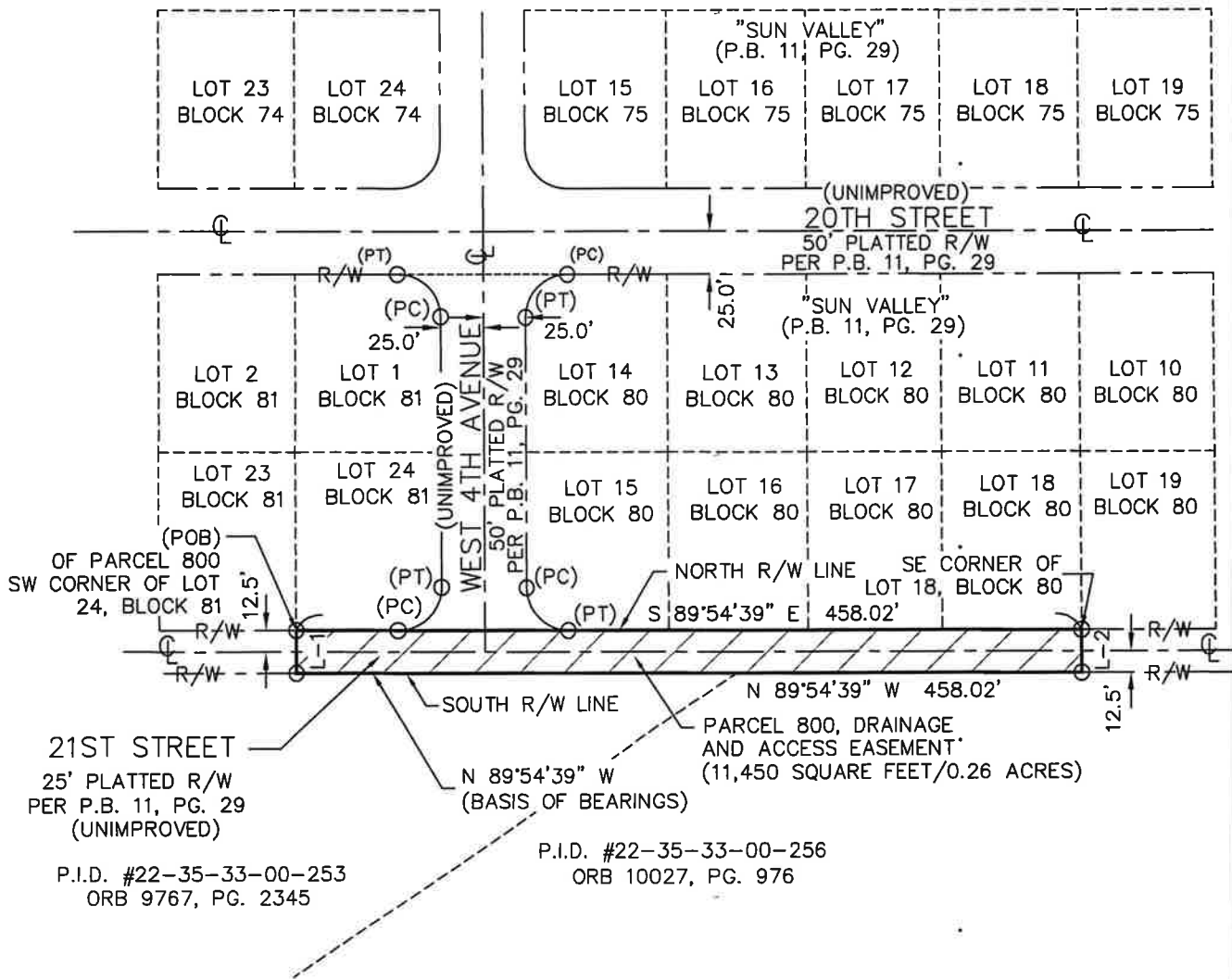


SCALE:  
1"=100'

LINE TABLE		
LINE	LENGTH	BEARINGS
L-1	25.00'	N 00°23'38" W
L-2	25.00'	S 00°23'38" E

## ABBREVIATIONS / LEGEND

(D) = DEED  
 LB = LICENSED BUSINESS  
 N/A = NOT APPLICABLE  
 NO. = NUMBER  
 ORB = OFFICIAL RECORDS BOOK  
 P.B. = PLAT BOOK  
 PG. = PAGE  
 P.I.D. = PARCEL IDENTIFICATION NUMBER  
 POB = POINT OF BEGINNING  
 PC = POINT OF CURVATURE  
 PT = POINT OF TANGENCY  
 o = CHANGE IN DIRECTION  
 CL = CENTER LINE  
 R/W = RIGHT OF WAY



**Certification of Trust** **CERTIFIED TRUE**  
**Pursuant to Florida Trust Code 736.1017** **COPY OF ORIGINAL**

*B. Dirschka*

The undersigned hereby declare the following to be true and correct:

1. The The Dirschka Family Revocable Trust is currently in existence and was executed on April 14, 2023.

2. The Grantors are George Eric Dirschka and Carrie Elizabeth Dirschka.

3. The names and addresses of the currently acting trustees are:

George Eric Dirschka, 2021 Breezy Hill Lane, Titusville, FL 32780

Carrie Elizabeth Dirschka, 2021 Breezy Hill Lane, Titusville, FL 32780.

4. The powers of the Trustees include the power to acquire, sell, assign, convey, pledge, encumber, lease, borrow, manage and deal with all real and personal property interests held in the name of the trust.

Excerpts from the trust instrument that establish the trust, designate the Trustee and set forth the powers of the Trustee will be provided upon request.

5. The trust is revocable and may be revoked by the Grantors.

6. The trust does have multiple trustees. The signature of one of the trustees is required to exercise the powers of the trust.

7. Title to trust assets should be taken in the following fashion:

George Eric Dirschka and Carrie Elizabeth Dirschka, Trustees of the  
The Dirschka Family Revocable Trust dated April 14, 2023, and any  
amendments thereto.

For titling purposes, any description referring to the trust is effective if it includes the name of the trust, the name of at least one trustee, and any reference indicating property is being held by the trustee in a fiduciary capacity.

8. The undersigned trustees declare that the trust has not been revoked, modified, or amended in any manner which would cause the representations contained in this certification to be incorrect.

9. Pursuant to the provisions of Section 736.1017(2) of the Florida Trust Code, a certification of trust may be signed by any Trustee.

10. Pursuant to the provisions of Section 736.1017(4) of the Florida Trust Code, a certification of trust need not contain the dispositive terms of the trust.

11. Pursuant to the provisions of Section 736.1017(5) of the Florida Trust Code, a recipient of a certification of trust may require the trustee to furnish copies of any excerpts from the original trust instrument and later amendments that designate the trustee and confer upon the trustee the power to act in the pending transaction.
12. Pursuant to the provisions of Section 736.1017(6) of the Florida Trust Code, a person who acts in reliance on a certification of trust without knowledge that the representations contained in the certification are incorrect is not liable to any person for so acting and may assume without inquiry the existence of the facts contained in the certification.
13. Pursuant to the provisions of Section 736.1017(7) of the Florida Trust Code, a person who in good faith enters into a transaction in reliance on a certification of trust may enforce the transaction against the trust property as if the representations contained in the certification were correct.

This certification is being signed by all of the currently acting trustees and is being executed in conformity with the provisions of Florida Trust Code Chapter 736 Section 1017.

September 5, 2024

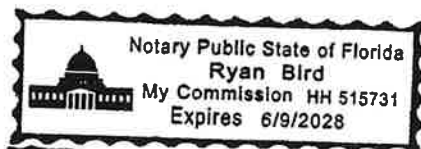
  
George Eric Dirschka, Trustee


Carrie Elizabeth Dirschka, Trustee

STATE OF FLORIDA )  
 ) ss.  
COUNTY OF BREVARD )

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this day, September 5, 2024, by George Eric Dirschka, who is ☐ personally known to me or ☒ produced **Driver's License**, as identification and Carrie Elizabeth Dirschka, who is ☐ personally known to me or ☒ produced **Driver's License**, as identification.

[Seal]



  
Ryan Bird

My commission expires: June 9th, 2028



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Kimberly.Powell@brevardclerk.us

November 14, 2024

**M E M O R A N D U M**

**TO:** Marc Bernath, Public Works Director    Attn: Amber Holley

**RE:** Advertising Bills for Resolution Vacating a Portion of Two Public Rights-of-Way in Plat "Sun Valley", Titusville, Lying in Section 28, Township 22 South, Range 35 East

Enclosed for your necessary action are copies of the advertising bills for Resolution No. 2024-120, vacating a portion of two public rights-of-way in plat "Sun Valley", Titusville, lying in Section 28, Township 22 South, Range 35 East, as petitioned by Dirschka Family Revocable Trust. Said Resolution was adopted by the Board of County Commissioners, in regular session on October 22, 2024.

Your continued cooperation is always appreciated.

Sincerely,

**BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK**

*for: Donna Soff*  
Kimberly Powell, Clerk to the Board

/sm

Encls. (2)





Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Kimberly.Powell@brevardclerk.us

November 14, 2024

Dirschka Family Revocable Trust  
2021 Breezy Hill Lane  
Titusville, FL 32780

Dear Sir/Madam:

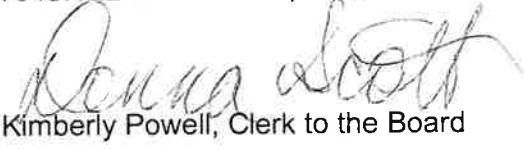
Re: Resolution Vacating a Portion of Two Public Rights-of-Way in Plat "Sun Valley", Titusville,  
Lying in Section 28, Township 22 South, Range 35 East

The Board of County Commissioners, in regular session on October 22, 2024, adopted Resolution No. 2024-120, vacating a portion of two public rights-of-way in plat "Sun Valley", Titusville, lying in Section 28, Township 22 South, Range 35 East, as petitioned by you. Said Resolution has been recorded in ORBK 10195, Pages 1272 through 1276. Enclosed is a certified copy of the recorded Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

for:   
Kimberly Powell, Clerk to the Board

/sm

Encl. (1)

cc: Amber Holley, Public Works